



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

GOTTLIEB RACKMAN & REISMAN PC
270 MADISON AVENUE
8TH FLOOR
NEW YORK, NY 10016-0601

MAILED

FEB 09 2011

OFFICE OF PETITIONS

In re Application of :
Mireia Hernandez Estaban :
Application No. 10/553,646 : DECISION ON PETITION
Filed: December 19, 2005 :
Attorney Docket No. 6647/011 :

This is a decision on the petition, filed May 8, 2008, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to reply to the Non final Office action mailed July 3, 2007, which set a three (3) month shortened statutory period for reply. A Notice of Abandonment was mailed on January 8, 2008.

Petitioner request that the abandonment be withdrawn since the Office action dated July 3, 2007, was sent to an incorrect correspondence address. Petitioner asserts that a proper power of attorney, including a change of correspondence address by means of declaration was filed on December 19, 2005.

A review of the written record does in fact indicate an irregularity in the mailing of the Office action dated July 3, 2007. In this regard, the Office received the declaration on December 19, 2005, which included a power of attorney and correspondence address which was prior to the mailing of the Non final Office action. Accordingly, as the Office action was mailed to an incorrect address, the Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn.

This application is being referred to the Technology Center technical support staff of Art Unit 2854 to remail the Office action of July 3, 2007 and reset the period for reply.

Telephone inquiries concerning this decision should be directed to Alicia Kelley at (571) 272-6059.

/Carl Friedman/
Carl Friedman
Petitions Examiner
Office of Petitions